



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CAMPAIGN & POLITICAL FINANCE

ONE ASHBURTON PLACE, ROOM 1007
BOSTON, MASSACHUSETTS 02108

(617) 727-8352
(800) 462-OCPF

MARY F. MCTIGUE
DIRECTOR

August 29, 1989
AO-89-19

Eugene F. Browne
Chairman
Hingham Democratic Town Committee
15 Polk Road
Hingham, MA 02043

Dear Mr. Browne:

This letter is in response to your request for an advisory opinion concerning the propriety of the Hingham Democratic Town Committee (the "Town Committee") in providing a scholarship to a local resident. We cannot issue an advisory opinion covering conduct already undertaken, but we will advise on future actions the Town Committee plans to take.

Specifically, you have stated that the Town Committee votes annually to award a \$750 summer internship scholarship to a Hingham student who has just completed the eleventh grade. The scholarship recipient is selected by the Town Committee's Scholarship Award Committee (the "Award Committee") which is appointed by the Chairman of the Town Committee. Neither the Chairman, Treasurer nor any officer of the Town Committee serves on the Award Committee or is directly involved in the evaluation or selection of any scholarship candidates. The Town Committee publicizes the scholarship in the local press and through the social studies department of each of Hingham High School and Notre Dame Academy, a private high school located in Hingham. Application forms are provided at the schools, the Hingham public library and upon request from the Award Committee. The Award Committee considers each applicant's demonstrated interest in government, politics or public service, contributions to school and community activities, a letter of recommendation from a faculty member the applicant's social studies department, as well as the applicant's general citizenship, character and academic achievement.

You have further stated that the purpose of the scholarship award is to promote interest and participation in government among young people, and to provide a qualified student with an opportunity for public service. In publicizing the award, announcing the recipient and featuring the student's activities during the internship, the Town Committee receives favorable publicity and fosters good will with the community.

Section 6 of M.G.L. c.55 states, in pertinent part: "Any . .

. political committee, duly organized, may receive, pay and expend money or other things of value for the enhancement of the political future of . . . the principle, for which the committee was organized so long as such expenditure is not primarily for the candidate's or any other person's personal use; provided, however, that the director shall establish reasonable rules and regulations concerning such expenditures . . ."

The regulations promulgated pursuant to section 6 of M.G.L. c.55 do not specifically address the award of scholarships by political committees.

A political committee may make a charitable contribution provided the following requirements, as set forth in 970 C.M.R. 2.06(a), are met:

1. The contribution is made to an entity which is subject to either M.G.L. c.12, section 8(f), M.G.L. c.67 or M.G.L. c.180.
2. Neither the treasurer nor any other officer of the committee may be a trustee, officer, principal or beneficiary or involved in any manner in the operations of the entity to which the contribution is made.
3. Neither the treasurer nor any other officer of the committee may be related by consanguinity or affinity to any trustee, officer, principal or beneficiary of said entity.
4. It is the usual and customary practice of the political committee to make such charitable contributions.
5. The political committee will receive publicity and foster political goodwill as a result of making the contribution.

A political committee may make a gift to an individual provided the following requirements, as set forth in 970 C.M.R. 2.06(b)(2), are met:

1. The political committee will receive publicity and foster political goodwill as a result of making the gift.
2. The treasurer of the political committee has no personal relationship with the individual or his family.
3. The gift is appropriate for the occasion which has prompted the gift.
4. It is the usual and customary practice of the political committee to make such gifts.
5. The gift would not be made but for the interest in enhancing the principle for which the committee was

organized.

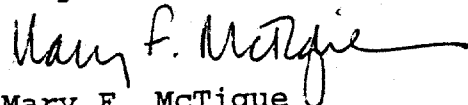
In light of the above-cited regulations, it is the opinion of this office that the Town Committee may award a scholarship provided the following requirements are met:

1. The treasurer, the chairman or any other officer of the Town Committee may not be involved in any manner in the selection of specific candidates for the scholarship award.
2. The treasurer, the chairman or any other officer of the Town Committee may not be related by consanguinity or affinity to the recipient of the scholarship award.
3. The Town Committee undertakes that the practice of awarding a scholarship has been or will become the usual and customary practice of the Town Committee.
4. The Town Committee will receive publicity and foster political goodwill as a result of awarding the scholarship.

This opinion has been rendered solely on the basis of the representations made in your letter and solely in the context of M.G.L. c.55.

Please do not hesitate to contact this office should you have additional questions.

Very truly yours,



Mary F. McTigue
Director

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